

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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JUSTIN MUELLER, CRAIG BOLTE,  
LARRY BLACK, and JOSHUA MERTZ,

Case No. 17-CV-1470 (NEB/TNL)

Plaintiffs,

ORDER ACCEPTING REPORT AND  
RECOMMENDATION

v.

CHAD MESOJEDEC, Rehab Therapies  
Director; NICHOLAS LAMMI, Rehab  
Therapist; CHRISTINE SELL, Rehab  
Therapist; STEVE SAYOVITZ, Security  
Director; SANDRA BRYANT, Volunteer  
Services Coordinator; MANDY  
TORGERSON, Special Services  
Supervisor; KEVIN MOSER, Program  
Facility Director; and PETER PUFFER,  
Clinical Site Director, in their individual  
and official capacities,

Defendants.

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The Court has received the December 20, 2018 Report and Recommendation of United States Magistrate Judge Tony N. Leung. [ECF No. 22.] No party has objected to that Report and Recommendation, and the Court therefore reviews it for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation [ECF No. 22] is ACCEPTED; and

2. This action is DISMISSED WITHOUT PREJUDICE under Fed. R. Civ. P. 41(b) for failure to prosecute.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 24, 2019

BY THE COURT:

s/Nancy E. Brasel  
Nancy E. Brasel  
United States District Judge